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\* Admitted in NY only  
\*\* Passed the Patent Bar Examination

February 27, 2002

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/965,131, Filed September 26, 2001  
Title: *Recombinant BCG Vaccines for the Prevention and Treatment of Cancer*  
Inventors: Maureen A. Chung, et al.  
Attorney Docket No.: WII-014CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Amendment and Response to Notice To File Missing Parts of Application (2 pages, *in duplicate*);
2. Request for Three-Month Extension of Time (1 page, *in duplicate*);
3. Four (4) Executed Declarations, Petitions and Powers of Attorney (24 pages);
4. Transmittal Letter for Diskette of Sequence Listing (1 page);
5. Sequence Listing Diskette;
6. Hard (Paper) Copy of Sequence Listing (numbered pages 1-2);
7. Copy of Notice to File Missing Parts of Non-provisional Application (2 pages);
8. Request for Correction of Filing Receipt together with Filing Receipt with changes noted thereon (2 pgs.);
9. Check in the amount of \$1,399.00 (consisting of \$979.00 extra claims fee, \$355.00 application filing fee and \$65.00 surcharge/late filing fee);
10. Check in the amount of \$460.00 (extension fee based on small entity status); and
11. A return postcard.

Please charge any deficiencies associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on:

February 27, 2002

Date

Hathaway Pease, Esq., Reg. No. 46,488

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Hathaway Pease, Esq.

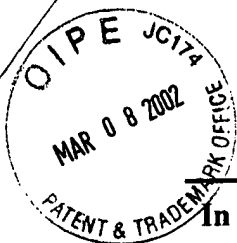
Reg. No. 46,488

For

Peter C. Lauro, Esq.

Registration No. 32,360

Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt #1  
\$

**In re the application of: Maureen A. Chung, et al.**

**Serial No.:** 09/965,131

**Filed:** September 26, 2001

**For:** "Recombinant BCG Vaccines for the Prevention and Treatment of Cancer"

**Attorney Docket No.:** WII-014CP

**Group Art Unit:** 1632

**Examiner:** Not Yet Assigned

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Dear Sir:

The Filing Receipt for the above-identified patent application does not include the residence of inventors, Surendra Sharma, Helena R. Chang and Mark A. O'Donnell.

They are as follows:

**Surendra Sharma – Warwick, RI**  
**Helena R. Chang- Los Angeles , CA**  
**Mark A. O'Donnell – Iowa City, IA**

Also, the attorney docket number is listed *incorrectly* as WII-014. It should read "WII-014CP". A copy of the Filing Receipt with the changes noted thereon is submitted herewith.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents , Washington, DC 20231 on:

February 27, 2002

Date

Hathaway Pease, Esquire Reg. No. 46,488

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Hathaway Pease, Esquire  
Reg. No. 46,488



MAR 08 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/965,131	09/26/2001	1632	0.00	WH-014	6	36	7

WII-014CP

CONFIRMATION NO. 1805

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FILING RECEIPT



\*OC000000006975177\*

Date Mailed: 10/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Maureen A. Chung, Providence, RI;  
Surendra Sharma, Residence Not Provided; *Warwick, RI*  
Helena R. Chang, Residence Not Provided; *Los Angeles, CA*  
Mark A. O'Donnell, Residence Not Provided; *Iowa City, IA*

## Assignment For Published Patent Application

Roger Williams Hospital, Providence, RI;  
Beth Israel Hospital Association, Boston, MA;

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/235,455 09/26/2000

## Foreign Applications

If Required, Foreign Filing License Granted 10/25/2001

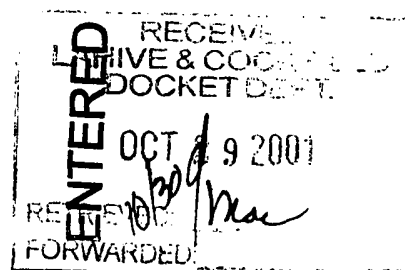
Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/965,131	09/26/2001	Maureen A. Chung	WII-014

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

03/15/2002 BNGUYEN1 00000017 120080 09965131 CONFIRMATION NO. 1805

02 FC:202	168.00 OP	<p>FORMALITIES LETTER</p> <p>*OC000000006975178*</p>
03 FC:203	684.00 OP	
04 FC:205	65.00 OP	
05 FC:204	140.00 OP	
06 FC:205	65.00 OP	
07 FC:201	277.00 OP	
93.00 CH		

Repln. Ref: 03/18/2002 BNGUYEN1 0023203300  
DAH:120080 Name/Number:09965131  
FC: 704 \$65.00 CR

Date Mailed: 10/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Adjustment date: 03/18/2002 BNGUYEN1  
03/15/2002 BNGUYEN1 00000017 09965131  
04 FC:205 -65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee for a small entity.*  
Total additional claim fee(s) for this application is \$979.
  - \$684 for 76 total claims over 20.
  - \$160 for 4 independent claims over 3 .
  - \$135 for multiple dependent claim surcharge.
 The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1399.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu

of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE